

**AN ORDINANCE  
BY TRANSPORTATION COMMITTEE**

**AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO PURCHASE 0.5073 ACRES OF VACANT LAND FROM PRIVATE OWNER, HANS W. BEERKENS, LOCATED ON HORTON DRIVE OFF ROOSEVELT HWY, DISTRICT 13, LAND LOT 28 IN FULTON COUNTY, GEORGIA AT THE APPRAISED VALUE \$200,000 FOR THE PURPOSE OF PROVIDING AN EXIT LANE FOR FUTURE AIRPORT PARKING; THE PURCHASE PRICE AND ALL ACQUISITION COSTS ASSOCIATED WITH THE PURCHASE WILL BE CHARGED TO FUND 5502 (AIRPORT RENEWAL AND EXTENSION FUND) 180201 DOA AVIATION CAPITAL PLANNING AND DEVELOPMENT) 5411001 (LAND) 7563000 (AIRPORT) 102898 (LAND ACQUISITION) 91949 (DOA RNE 9999) 0000 (DEFAULT) 00000000 (DEFAULT) 00000000 (DEFAULT), AND FOR OTHER PURPOSES.**

WHEREAS, the City of Atlanta ("City") is the owner and operator of Hartsfield-Jackson Atlanta International Airport ("Airport"); and

**WHEREAS**, Hans W. Beerkens ("Owner"), owns approximately 0.5073 acres of vacant land located in District 13, Land Lot 28 in Fulton County, Georgia; and

**WHEREAS**, the City desires to purchase the vacant land to use for the purpose of providing an exit lane from future Airport parking that will support the CONRAC Project; and

**WHEREAS**, Owner intends to sell this property to the City at the fair market appraised price; and

**WHEREAS**, a fair market appraisal has been obtained by the City, pursuant to the Code of Ordinances, Section 2-1574, and the parties have agreed that the purchase price will be the fair market value in the amount of \$200,000.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:**

**SECTION 1:** that the Mayor is authorized to purchase the following tract or parcel of land from private owner, Hans W. Beerkens, for the purpose of providing an exit lane from future Airport parking being built to support the CONRAC Project.

All that tract or parcel of land lying and being Land Lot 28 of the 13th District, Fulton County, Georgia, being more particularly described on the legal description attached hereto as Exhibit "A" and made a part hereof by reference.

**SECTION 2:** That the City is authorized to purchase the property at the fair market value of \$200,000 to be paid in full at closing.

**SECTION 3:** the purchase price and all acquisition costs associated with the purchase will be charged to Fund 5502 (Airport Renewal and Extension Fund) 180201 DOA Aviation Capital Planning and Development) 5411001 (Land) 7563000 (Airport) 102898 (Land Acquisition) 91949 (DOA RNE 9999) 0000 (Default) 00000000 (Default) 00000000 (Default),

**SECTION 4:** that the Mayor is authorized to execute on behalf of the City of Atlanta, any and all other documents or legal instruments necessary to consummate the sale of the land.

**SECTION 5:** that the City Attorney is directed to prepare appropriate legal instruments, as required, for execution by the Mayor and to represent the City at the closing of the sale.

**SECTION 6:** that legal instrument, as may be required, will not become binding upon the City, and the City will incur no obligation or liability under them until each has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to the private owner, Hans W. Beerkens.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview:**

**Caption:**

**Council Meeting Date:**

**Requesting Dept.:**

**FAC Confirmed by:**

**B. To be completed by the department:**

**1. Please provide a summary of the purpose of this legislation (Justification Statement).**

**2. Please provide background information regarding this legislation.**

**3. If Applicable/Known:**

**(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):**

**(b) Source Selection:**

**(c) Bids/Proposals Due:**

**(d) Invitations Issued:**

**(e) Number of Bids:**

**(f) Proposals Received:**

**(g) Bidders/Proponents:**

**(h) Term of Contract:**

**4. Fund Account Center (Ex. Name and number):**

**Fund:** \_\_\_\_\_ **Account:** \_\_\_\_\_ **Center:** \_\_\_\_\_

**5. Source of Funds: *Example: Local Assistance Grant***

**6. Fiscal Impact:**

***Example: This legislation will result in a reduction in the amount of \_\_\_\_\_ to Fund Account Center Number \_\_\_\_\_.***

**7. Method of Cost Recovery:**

***Examples:***

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.***
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.***

**This Legislative Request Form Was Prepared By:**

EXHIBIT A

ATTACHED TO OFFER TO PURCHASE FROM

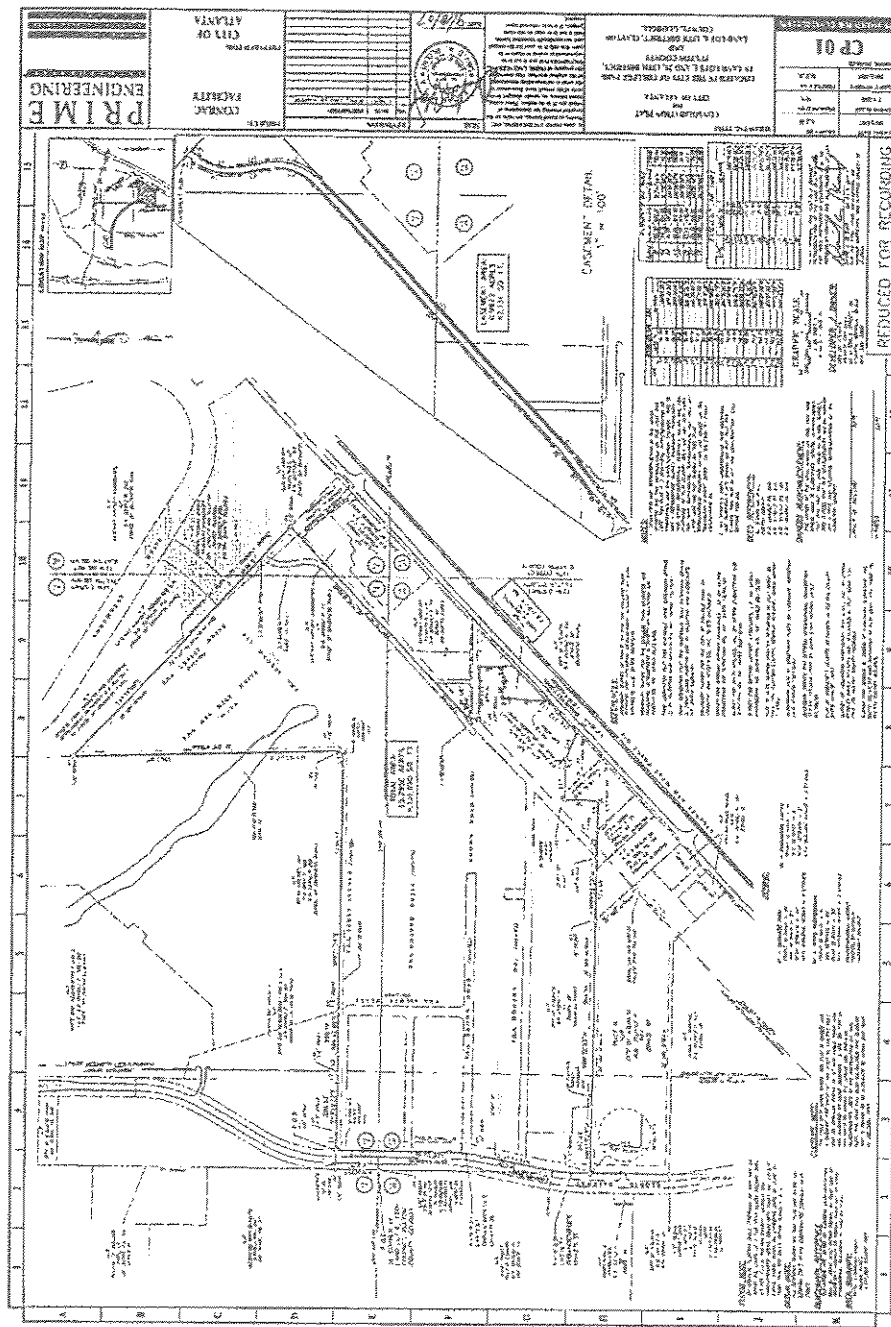
21st DAY OF April, 1978

All that tract or parcel of land lying and being in Land Lot 28 of the 13th District of formerly Campbell, now Fulton County, Georgia, being part of Lots 3 and 4 of J. H. Cook property, as shown on plat of survey made by W. J. Lee, Surveyor, dated December 1925, and more particularly described as follows:

BEGINNING at an iron pin on the northwestern side of Roosevelt Highway, two hundred forty-seven and six-tenths (247.6) feet southwestwardly, as measured along the northwestern side of Roosevelt Highway, from the corner formed by the intersection of the northwestern side of Roosevelt Highway with the south side of Brown Road (a fifty (50) foot right-of-way,) which iron pin is at the southernmost corner of property now or formerly owned by Phillips Petroleum Co.; running thence north along the west line of said property, which line forms an interior angle of 134 degrees 12 minutes with the northwestern side of Roosevelt Highway, a distance of one hundred seventy-two and seven-tenths (172.7) feet to a point on the south side of Brown Road (a fifty (50) foot right-of-way;) thence west along the south side of Brown Road three (3) feet to a point; thence south along a line, which line forms an exterior angle of 90 degrees 02 minutes with the south side of Brown Road, a distance of one hundred nine (109) feet to a point; thence in a southwesterly direction along a line which forms an exterior angle of 110 degrees 25 minutes with the preceding course, a distance of eighty-two and forty-six hundredths (82.46) feet to an iron pin; thence north along a line, which line forms an interior angle of 290 degrees 32 minutes with the preceding course, a distance of seventeen (17) feet to an iron pin which is one hundred twenty and two-tenths (120.2) feet south of an iron pin on the south side of Brown Road (a fifty (50) foot right-of-way;) thence west along a line, which line forms an interior angle of 90 degrees 01 minutes with the line seventeen (17) feet in length above described, a distance of eighty (80) feet to a point; which point is also one hundred twenty and two-tenths (120.2) feet south of the south side of Brown Road (a fifty (50) foot right-of-way;) thence south along a line, which line forms an interior angle of 89 degrees 57 minutes with the line eighty (80) feet in length, above described, a distance of two hundred eight and six-tenths (208.6) feet to an iron pin on the northwestern side of Roosevelt Highway; thence in a northeasterly direction along the northwestern side of Roosevelt Highway, and forming an interior angle of 45 degrees 43 minutes with the preceding course, a distance of two hundred twenty-four (224) feet to the iron pin at the point of beginning; as more particularly shown on plat of survey for Thornton Oil Co. of Kentucky, Inc., by C. R. Roberts, Registered Engineer, dated August 27, 1962.

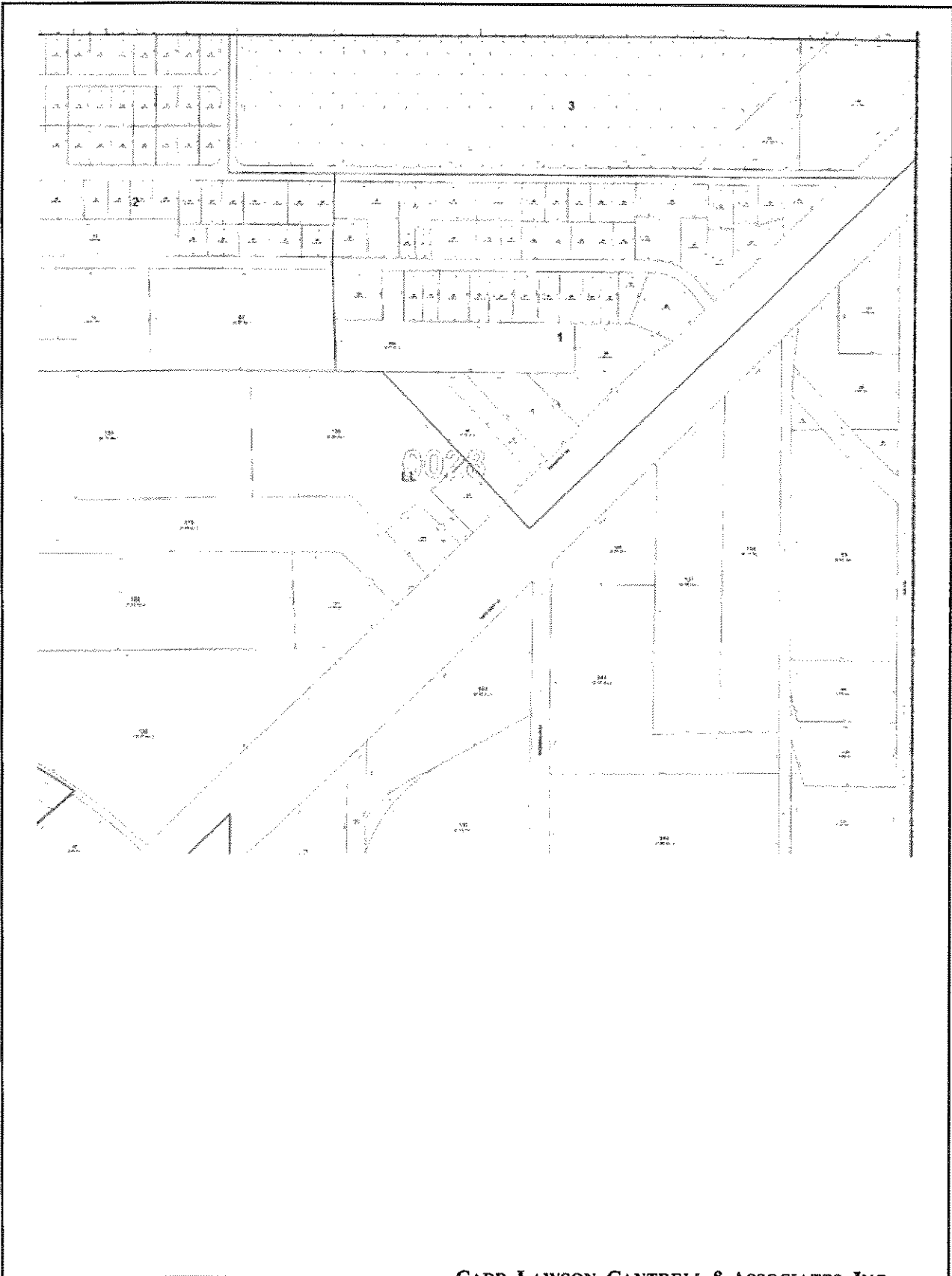
Initialed for  
Identification:

\_\_\_\_\_  
\_\_\_\_\_



TAX PLAT

EXHIBIT II



CARR, LAWSON, CANTRELL & ASSOCIATES, INC.

### SUMMARY OF SALIENT FACTS AND CONCLUSIONS

<b>Property:</b>	A 0.5073- acre (22,100 SF) vacant, wooded land tract.
<b>Location:</b>	Northwest side of Roosevelt Highway, about 50 feet northeast of the vacated right of way of Horton Drive; College Park, Fulton County, Georgia.
<b>Zoning:</b>	BP – Business Park by the City of College Park.
<b>Highest and Best Use:</b>	Airport or convention related commercial development.
<b>Rights Appraised:</b>	Fee simple
<b>Market Value Conclusion:</b>	\$200,000 (\$9.00 per square foot)
<b>Date of Valuation:</b>	February 25, 2008
<b>Date of Report:</b>	February 27, 2008
<b>Exposure Time (Assumed time on market leading to value estimate):</b>	6 to 12 Months.
<b>Marketing Period (Estimate time to sell property at concluded value):</b>	6 to 12 Months.



is our understanding that the City of College Park desires to undertake and encourage development and redevelopment of the neighborhood, a situation that will likely succeed because of the neighborhood's location.

### **PROPERTY DESCRIPTION**

#### **On-Site**

Location:	Northwest side of Roosevelt Highway, about 50 feet northeast of the vacated right of way of Horton Drive; College Park, Fulton County, Georgia.
Land Size:	0.5073 acres (22,100 square feet).
Frontage:	Approximately 224 feet along Roosevelt Highway.
Shape:	Irregular.
Topography:	The land is gently rolling and at the grade of Roosevelt Highway.
Soil/Subsoil Conditions:	No detrimental conditions observed.
Ground Cover:	Heavily wooded.
Drainage:	Appears adequate.
Easements:	No adverse easements noted.
Encroachments:	None noted.
Flood Plain:	According to the Federal Emergency Management Association (FEMA) map included in the Addenda, the subject is not located in a flood zone.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

Originating Department: Aviation

Committee(s) of Purview: Transportation

Chief of Staff Deadline: 5/14/08

Anticipated Committee Meeting Date(s): 5/28/08

Anticipated Full Council Date: 6/02/08

Commissioner Signature: *McA* *[Signature]*

**CAPTION**

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO PURCHASE 0.5073 ACRES OF VACANT LAND FROM PRIVATE OWNER, HANS W. BEERKENS, LOCATED ON HORTON DRIVE OFF ROOSEVELT HWY, DISTRICT 13, LAND LOT 28 IN FULTON COUNTY, GEORGIA AT THE APPRAISED VALUE \$200,000 FOR THE PURPOSE OF PROVIDING AN EXIT LANE FOR FUTURE AIRPORT PARKING; THE PURCHASE PRICE AND ALL ACQUISITION COSTS ASSOCIATED WITH THE PURCHASE WILL BE CHARGED TO FUND 5502 (AIRPORT RENEWAL AND EXTENSION FUND) 180201 DOA AVIATION CAPITAL PLANNING AND DEVELOPMENT) 5411001 (LAND) 7563000 (AIRPORT) 102898 (LAND ACQUISITION) 91949 (DOA RNE 9999) 0000 (DEFAULT) 00000000 (DEFAULT) 00000000 (DEFAULT), AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any) \$200,000

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ (date) Received by LC from CPO: \_\_\_\_\_ (date)

Received by Mayor's Office: 5/14/08 *[Signature]* Reviewed by: *[Signature]* \_\_\_\_\_ (date)

Submitted to Council: \_\_\_\_\_ (date)